

**REMARKS**

In response to the Restriction Requirement dated February 3, 2009 Applicants hereby elect the invention identified as Group III (claims 1 and 6-17, drawn to a vector comprising a protein with FBPase and SBPase activity wherein the nucleic acid sequence encoding the FBPase/SBPase is SEQ ID NO: 6, and wherein the FBPase/SBPase amino acid sequence is SEQ ID NO: 5).

Also, to expedite prosecution, withdrawn claims 2-5 have been cancelled without prejudice or disclaimer thereto. Applicants reserve the right to file divisional or continuation application on any cancelled subject matter.

Favourable action on the merits is now requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact the undersigned attorney at the telephone number below.

Respectfully submitted,

Akiho YOKOTA et al.

By: /William R. Schmidt, II/  
Digitally signed by /William R. Schmidt, II/  
DN: cn=/William R. Schmidt, II/, o=WLP,  
ou, email=bschmidt@wenderoth.com,  
c=US  
Date: 2009.03.31 11:47:27 -04'00'

William R. Schmidt, II  
Registration No. 58,327  
Attorney for Applicants

WRS/lc  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
March 31, 2009